

Docket No. DELME-P2739

PATENT

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of: Dan W.C. Delmer

Serial No.: 09/904,975 Art Unit: 3679

Filed: July 12, 2001 Examiner: Aaron M. Dunwoody

For: PIPE COUPLING

Mail Stop: Petitions
Commissioner for Patents
P.O. Box 1450
Alexandria, Virginia 22313-1450

RENEWED PETITION TO MAKE SPECIAL UNDER THE PROVISIONS OF 37

C.F.R. §1.102 (c)(1)

Sir:

Pursuant to 37 C.F.R. §1.102, Applicant respectfully petitions the Commissioner of Patents and Trademarks to make special the above-identified patent application, so that it may be taken out of turn for immediate action. The basis for this petition is that the applicant is experiencing significant health issues that may impact his ability to assist in the prosecution of his patent application.

On June 16, 2009, Applicant filed his initial Petition to Make Special, which was dismissed by the Patent Office for lack of a doctor's certificate or other medical certificate (as indicated in the July 13, 2009 Decision on Petition to Make Special). Thus,

Certificate of Transmission

I hereby certify that this correspondence is being filed electronically via EFS with the Commissioner for Patents, P.O. Box 1450, Alexandria, Virginia 22313-1450 on the date indicated below.
/AlisonL. Vass/ September 30, 2009
Alison L. Vass, Reg. No. 63,078 DATE

Applicant is submitting the present renewed Petition to Make Special, along with the required doctor's certificate, in order to remedy the July 13, 2009 Decision on Applicant's June 16, 2009 Petition to Make Special based on Applicant's health.

In accordance with MPEP §708.02 III, enclosed in support of this Petition is the Declaration of Dan W.C. Delmer attesting his health is compromised, along with copies of his medical records and a doctor's certificate from his physician, David Burtzo in support thereof.

Applicant respectfully submits that his current state of health, including recurrent rectal cancer, may prevent him from being able to assist with the prosecution of his application, and thus hereby requests that the examination of his application be expedited on that basis.

At the time Applicant filed a Notice of Appeal on April 3, 2009, Applicant understood that he was recovering from his cancer. On June 2, 2009 while Applicant was in the process of preparing the Appeal Brief, Applicant learned of the recurrence of his cancer. On June 16, 2009, Applicant filed his initial Petition to Make Special, which was dismissed on July 13, 2009 by the Patent Office for lack of a doctor's certificate. Thus, Applicant is again petitioning the Patent Office in hopes that the Patent Office will expedite his application based on his current health situation.

Applicant's representative believes that under 37 C.F.R. 1.102 no fee is required for filing this petition, however if needed the Commissioner is authorized to charge any fees due to Deposit Account No. 08-2624.

Respectfully submitted,

Date: September 30, 2009 /Alison L. Vass/

Alison L. Vass
Reg. No. 63,078
J. Mark Holland & Associates,
a Professional Law Corporation
3 San Joaquin Plaza, Suite 210
Newport Beach, California 92660
Telephone: 949-718-6750
PTO Customer Number 21,259

ALV:dw

Enclosures

Z:\WinWord\DELME\P2739\RENEWED_PETITIONTOMAKESPACIAL\PET2.DOC